

Serial No. 09/821,174

REMARKS

The present Office Action requires an election of the following claim groups, the Examiner indicating that the respective claim groups are drawn to distinct inventions:

- Group I: Claims 1-28;
- Group II: Claims 29-43;
- Group III: Claims 44-52;
- Group IV: Claims 53-71; and
- Group V: Claims 72-82.

Pursuant to this restriction requirement, Applicant elects Group I (identified above as corresponding to Claims 1-28), with traverse.

The Examiner further requires election between the following species:

- Species I: Figures 2, 8-9, and 14A;
- Species II: Figures 3, 10, and 14B;
- Species III: Figures 4, 11, and 14C;
- Species IV: Figures 5, 12-13, and 14D;
- Species V: Figures 15-17;

Serial No. 09/821,174

Species VI: Figures 18-20;

Species VII: Figures 21-24;

Species VIII: Figures 25-29;

Species IX: Figures 30-35;

Species X: Figure 40; and

Species XI: Figure 41.

Pursuant to this election requirement, Applicant elects Species I of Group I (identified above as corresponding to Figures 2, 8-9, and 14A), with traverse. The claims corresponding to Species I of Group I include claims 1, 2, and 16.

In addressing distinct and independent inventions, it is noted that the MPEP provides:

If the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

MPEP 803 (8th ed., August 2001).

It would appear that a patentability search for any one of the independent claims (Claims 1, 20, 29, 35, 44, 53, 60, 62, 70, 72, and 77) would produce results relevant to patentability for the other independent claims. For example, each of the various embodiments, and each of the claims presently pending, generally concerns an apparatus for producing (or a method for producing) a panel and/or a display panel. To this end, Applicants respectfully submit that no serious burden would be required to examine all of the pending claims of this Application.

Serial No. 09/821,174

In the alternative, it is noted that claims 2-19 are all dependent upon the same independent claim 1. As a result, it is clear that any search performed for any of these claims would be pertinent to the patentability of the base independent claim 1. Thus, Applicants submit that it is clearly not a serious burden for the Examiner to examine at least claims 1-19 of this Application.

Accordingly, Applicant respectfully requests reconsideration in regard to the election requirement and withdrawal thereof.


If an extension of time is required to enable this document to be timely filed and there is no separate Petition for Extension of Time filed herewith, this document is to be construed as also constituting a Petition for Extension of Time Under 37 C.F.R. § 1.136(a) for a period of time sufficient to enable this document to be timely filed.

Any other fee required for such Petition for Extension of Time and any other fee required by this document pursuant to 37 C.F.R. §§ 1.16 and 1.17, other than the issue fee, and not submitted herewith should be charged to Sidley Austin

Serial No. 09/821,174

Brown & Wood LLP's Deposit Account No. 18-1260. Any refund should be credited to the same account.

Respectfully submitted,

By: 
Roger C. Knapp
Registration No. 46,836
Agent for Applicants

RCK:jkk
SIDLEY AUSTIN BROWN & WOOD LLP
717 N. Harwood, Suite 3400
Dallas, Texas 75201
Direct: (214) 981-3461
Main: (214) 981-3300
Facsimile: (214) 981-3400
October 1, 2002